

8-10. (Canceled)

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1 and 7.

The above amendment incorporates the features of claim 8 in claim 1. The significance of this amendment will become further apparent from the remarks below.

Claims 1, 7 and 8 have been rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Watanabe et al. (U.S. 5,624,787).

This rejection is respectfully traversed.

Watanabe is absolutely silent on the inventive concept of the present application, employing a combination of two different resinous ingredients (A1) and (A2).

The contention of the 103 rejection appears to be based on the assumption of equivalency between the resinous component of the reference and the resinous component (A) of the present invention, which is a combination of two resinous components (A1) and (A2) which are different each from the other in the degrees of substitution for the hydroxyl groups with acid-labile groups.

As seen from the molecular basis, the resinous component of the reference is also a mixture of molecules of which the degrees of substitution distribute over a range. If such a single resin is fractionated relative to the degree of substitution, the distribution diagram would show a single peak. On the other hand, if a combination of (A1) and (A2) is fractionated in the same manner, the distribution diagram relative to the degree of substitution on the molecules necessarily has two peaks.

It was therefore unexpected that a combination of (A1) and (A2) as resinous component (A) exhibits a property different from that of the Watanabe reference, even if the overall average degrees of substitution were identical between the two resinous components of the present invention and of the prior art reference.

In this regard, attention is directed to the disclosure on page 9, first full paragraph concerning the unexpected advantages employing resins A1 and A2 in a proportion of 4:6 to 1:9 i.e. in terms prevention of the occurrence of surface defects in the patterned resist layer after development.

Thus, to the extent that Watanabe constitutes a *prima facie* case of obviousness, such is

rebutted by the above-discussed unexpected discovery.

Accordingly, the rejection on Watanabe is untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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January 19, 2006